

Release of Information to the Public

There is no assurance of consistency in CIA's release of information to Congress, private citizens, and the courts -- a situation which may reflect adversely on the credibility of the Agency.

During the past year and a half an unprecedented increase in the outflow of previously protected Agency information has occurred, both in classified and declassified form. While special staffs have been created on both an ad hoc and semi-permanent basis to manage this flow, current coordination and control procedures appear to be inadequate. The Operations Directorate has expressed particular concern.

At present, differing sanitization and partial-release standards may result in the release of differing versions of the same document. Since there is no central repository of released materials or even central index to them, we may be withholding documents which are already in the public domain or providing documents which we have previously denied.

A sizable outflow of information will continue to take place as the result of:

- Congressional investigation and normal Congressional oversight,
- Freedom of Information Act (FOIA) requests,
- Privacy Act (PA) requests,

--Executive Order 11652 on mandatory declassification (which will require increasing manpower commitments beginning in 1977 when some Agency documents will have been classified for the 30-year limit),

--Releases under private and class action litigation,

--Press releases and statements by the DCI and senior CIA spokesmen, and

--Unauthorized disclosure.

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The DDA's Information and Privacy Staff, with ☐ positions, functions as a central office of record and point of coordination only for FOIA, PA, and E.O. 11652 releases. Information release, moreover, is not merely a matter of records management; it involves policy deliberation on the part of senior Agency officials. Decisions on release are being made by the deputy directors, by OGC, by OLC, by the IG, by the Assistant to the Director for Public Affairs, and by the DCI himself. Sometimes they are being made without sufficient coordination, not only because of time pressure, but because the various individuals who are releasing material may be unaware of related actions of others dealing with the same subject matter.

The problem is complex. Several memoranda have been written in its regard during recent months, but it still lingers. We raise it in this forum to be certain that it receives the top management attention it deserves.

Release of Information to the Public (Continued)

Two things appear to be needed:

--A central Agency control group, perhaps in the DCI Area rather than in the Administration Directorate, which will perform the custodial and coordination functions for all information release to the public. The director of this group should be empowered to adjudicate policy differences between directorates when they arise.

--A computerized central index to all released materials, for use

by this group and by the offices concerned with information release. This index would permit materials to be retrieved by subject matter and information requestor, as well as by document type and date. (There may be no need for a central repository of released materials and of the original, unsanitized documents on which they are based-- if the central index will permit them to be readily retrieved within decentralized repositories.)

We suggest that an interdirectorate study group be commissioned to look into the situation in more depth and to report back in the near future.